

# **Exhibit 1**

**Project Summary**  
**Certificate of Completion for the Voluntary Remediation Program**  
**Indiana Department of Environmental Management**  
**Fish Creek Pipeline Release Site**  
**VRP Site # 6970305**

**VRP APPLICANT:** TransMontaigne Product Services Inc. (TPSI) and Atlantic Richfield Company (ARCO)

**ADDRESS:** TransMontaigne Partners LP  
ESOH Department, P.O. Box 5660  
Denver, Colorado 80217-5660

Atlantic Richfield Company  
2939 Calumet Avenue, Trailer C-1439  
Hammond, IN 46320

**PROJECT NAME:** Fish Creek Pipeline Release Site

**VRP PROJECT ADDRESS:** County Road 18

**CITY, COUNTY:** Butler, DeKalb

**DATE APPLICATION RECEIVED:** March 14, 1997

**DATE COMPLETION REPORT APPROVED:** December 21, 2009

**REMEDATION CLEANUP GOALS ACHIEVED:** VRP 1996 Guidance Tier II Nonresidential (Default). See Exhibit 2.

**MEDIA ADDRESSED:** Surface Soil, Subsurface Soil, Groundwater

**VRP PROJECT AREA:** Covenant Not to Sue area defined by uppercase points A, B, C, D on Figures in Exhibit 3.

**INSTITUTIONAL CONTROLS/LAND USE RESTRICTIONS:** An environmental restrictive covenant was placed on the property deed precluding the use of the affected area for residential purposes, including, but not limited to, daily care facilities (e.g., daycare centers, schools, and senior citizen facilities). The ERC also precludes the installation or use of drinking water wells in the affected area. Please see ERC # 200906190 in Exhibit 4.

**ENGINEERING CONTROL(S) TO BE MAINTAINED:** Not Applicable

**SUMMARY OF PROJECT:** In September 1993, approximately 676 barrels of No. 2 diesel fuel were released from the former NORCO Pipeline Company (now called TransMontaigne), operated by Arco Pipe Line Company (ARCO) at the time of the release. The spill occurred from a break in the underground pipeline, which was located in a cultivated field, three miles northeast of the town of Butler. The diesel fuel flowed into a drainage ditch and subsequently entered Fish Creek. The site was subject to emergency response efforts, which recovered approximately 337 barrels. In addition, two passive recovery trenches were installed in late 1993 to assist in recovery efforts. Investigation activities through 1999 indicated that only diesel fuel-related compounds were detected in soil and groundwater at the site. Further sampling efforts found constituents detected above residential criteria. The site was restored in 2004, which included removal of all monitoring wells and recovery trenches.

**This Certificate of Completion is not meant to modify the terms or conditions of the completed Remediation Work Plan and Covenant Not to Sue. In the event this Certificate of Completion should be inconsistent with the Remediation Work Plan or the Covenant Not To Sue, the Remediation Work Plan shall control.**